



State of New Jersey

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August 22, 1985

Tina C. Mayro, Esquire
Brigantine Women's Republican Club
3118 Brigantine Avenue
Brigantine, New Jersey 08303

Re: Advisory Opinion 12-1985

Dear Ms. Mayro:

In response to your letter dated July 8, 1985, the New Jersey Election Law Enforcement Commission has determined that under the facts supplied, the Brigantine Women's Republican Club is not a "political committee" subject to pre and post-election reporting requirements.

The definition of political committee in N.J.A.C. 19:25-1.7 excludes a contributor not involved in fund raising or other election-related activity unless the aggregate amount of contributions during any calendar year exceeds \$10,000. If the Club were merely a contributor of \$10,000 or less in a calendar year, it would not be required to report as a political committee. Your letter indicated that much of the proceeds of your fund raising activity is contributed to community and charitable purposes. However, the Club does conduct fund raising activity which at least in part, is intended for political contributions. Because of this activity, the Club would have to report as a "political committee" if it raised or expended \$1,000 or more in any calendar year to aid or promote candidates or a public question pursuant to N.J.S.A. 19:44A-3(i). Since the Club has not contributed or expended \$1,000 or more annually for political purposes, it need not report as a political committee. If the Club exceeds that amount by the end of this calendar year, or in any future calendar year, it must then report for such year.

"Political party committee" is defined in N.J.A.C. 19:25-1.7 as follows:

"'Political party committee' includes every State, county or municipal committee of a political party. A political club having a permanent or continuing existence unrelated to the candidacy of particular candidates, or which receives contributions or makes expenditures from time to time unrelated to the promotion or opposition of the candidacy of a particular candidate or candidates, and which carries on in fact some or all of the continuing functions of a political party committee, is determined to be a political party committee. Political party committees are continuing political committees for the purpose of the quarterly reporting requirements of the act."

We cannot give a definitive answer to your second question without a fuller understanding of your activities. Based upon the indication in your letter, however, that the Club is not involved in choosing candidates, we would assume the Club is not acting as the Republican party committee of Brigantine. If there is a municipal Republican party committee carrying out the usual functions of a political party committee and reporting as such, then your Club is not required to report as a "political party committee".

Vary truly yours,

NEW JERSEY ELECTION LAW
ENFORCEMENT COMMISSION



Edward J. Farrell
Counsel

EJF:no